

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**MIKE SHALES, JOHN BRYAN Sr., AL
OROSZ, DAN BREJC, TOBY KOTH and
VERN BAUMAN as Trustees of THE
FOX VALLEY LABORERS' HEALTH AND
WELFARE FUND,**

and

**MIKE SHALES, JOHN BRYAN Sr., AL
OROSZ, TOBY KOTH, GORDON
ANDERSON and DAN BREJC as Trustees of
THE FOX VALLEY LABORERS' PENSION
FUND,**

Plaintiffs,

v.

BARTLETT SEWER & WATER, INC,

Defendant.

Case No. 07 C 6837

Judge Zagel

Magistrate Judge Denlow

JUDGMENT BY DEFAULT

This matter came before the Court on Plaintiffs' Motion for Judgment by Default Against Defendant BARTLETT SEWER & WATER, INC. The Court has examined the Plaintiffs' submissions and is fully informed. It appears that good cause exists for granting Plaintiffs' motion:

WHEREAS, the Plaintiffs filed their Complaint on December 4, 2007 and the Defendant was served with copies of the Complaint and Summons on January 2, 2008; and

WHEREAS, the Defendant has failed to answer or otherwise plead and as a result, on

February 14, 2008 an Order of Default was entered against it;

WHEREAS, upon application of the Plaintiffs and for good cause shown, a default judgment is hereby entered against BARTLETT SEWER & WATER, INC., in accordance with the prayer of the Complaint in the above styled action; and

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that judgment is entered on behalf of the Plaintiffs and against BARTLETT SEWER & WATER, INC., as follows:

1. Judgment is entered against Defendant BARTLETT SEWER & WATER, INC., in the amount of **\$19,376.67** for amounts owed pursuant to a payroll audit for the period of January 1, 2005 through July 31, 2007, including outstanding contributions, dues, interest, liquidated damages, audit fees, as well as attorneys' fees and costs and Defendant BARTLETT SEWER & WATER, INC., is ordered to submit **\$19,376.67** to the Plaintiffs within 10 days of the date of this Order for the following:

Pension (01/05-7/07)	\$ 3,221.63
Safety	\$ 6.04
Training	\$ 126.27
Welfare	\$ 4,928.40
CAICA	\$ 11.10
CISCO	\$ 6.04
IAF	\$ 36.24
Dues	\$ 397.99
LDCLMCC	\$ 90.09
LECET	\$ 37.54
Subtotal:	\$ 8,861.34
Liquidated Damages @ 20%	\$ 1,664.74
Liquidated Damages @ 10%	\$ 53.76
Interest	\$ 4,027.12
Audit Fee	\$ 913.54
Attorneys' Fees & Costs	<u>\$ 3,856.17</u>
Total	\$19,376.67

Judgment Amount : \$19,376.67

2. Nothing in this Order shall prevent the Funds for auditing any non-audited periods including periods after July 31, 2007 and collecting any amounts that may be due as revealed pursuant to that audit.

ENTERED:

By: 

HONORABLE JAMES B. ZAGEL

Dated: 6 March 2008